



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
DETROIT



LIESL EICHLER CLARK
DIRECTOR

January 25, 2019

Mr. Joseph Abichedid
JG & G Holding, Inc.
1516 Southdown Road
Mississauga, ON L5J 2Z4

Mr. Sam Saleh
Berkshire Development, Inc.
750 Golf Crest
Dearborn, MI 48124

SRN: U821810271, Wayne County

Dear Mr. Abichedid and Mr. Saleh:

VIOLATION NOTICE

On December 28, 2018 and January 4, 2019, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a complaint/referral inspection of the building located at 4100 Fenkell, Detroit. The purpose of this inspection was to determine JG & G Holding, Inc.'s and Berkshire Development, Inc.'s compliance with the requirements of Title 40 of the Code of Federal Regulations (CFR), Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart M and Rule 942 of the administrative rules promulgated under Part 55, Air Pollution Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

According to our investigation, JG & G Holding, Inc. owns the facility and Berkshire Development, Inc. performed the demolition activities at the facility. The NESHAP for Asbestos holds both the owner and operator liable for violations.

During the inspections, AQD staff Craig Dechy and Tammy Bell identified and sampled suspect asbestos-containing materials in the demolition debris. Thermal system insulation and floor tile samples collected by AQD tested positive for asbestos. An asbestos survey previously conducted at the facility identified regulated asbestos-containing materials (RACM) and Category I and II asbestos containing materials over the Asbestos NESHAP thresholds. Visible emissions due to inadequate water usage were also noted during demolition of the structure.

Process Description	Section Violated	Comments
Demolition of 4100 Fenkell, Detroit.	40 CFR 61.145(a), AQD Consent Order No. 18-2013	Failure to thoroughly inspect for asbestos
	40 CFR 61.145(c)(1), AQD Consent Order No. 18-2013	Failure to remove RACM prior to demolition.
	40 CFR 61.145(c)(4), AQD Consent Order No. 18-2013	Failure to contain RACM in leak tight container.
	40 CFR 61.145(c)(8), AQD Consent Order No. 18-2013	No contractor supervisor on site.
	40 CFR 61.145(c)(8), AQD Consent Order No. 18-2013	Failure to adequately wet the facility during demolition
	40 CFR 61.150(a), AQD Consent Order No. 18-2013	Visible emissions from asbestos containing waste material generated by source.

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	40 CFR 61.150(a)(1)(v), AQD Consent Order No. 18-2013	No generator labels.
	40 CFR 61.150(b)(1), AQD Consent Order No. 18-2013	Failure to deposit asbestos containing waste material at a Type II landfill.

Please initiate actions necessary to correct the cited violations and submit a signed written response to this Violation Notice by February 15, 2019 (which coincides with 21 calendar days from the date of this letter). The response should include: the dates the violations occurred; an explanation of the causes and duration of the violations; whether the violations are ongoing; a summary of the actions that have been taken and are proposed to be taken to correct the violations and the dates by which these actions will take place; and what steps are being taken to prevent a reoccurrence.

Please submit the written response to Ms. Tammy Bell at DEQ, AQD 3058 West Grand Boulevard, Detroit, Michigan 48202 or bellt4@michigan.gov and submit a copy to Mr. Jason Wolf, Enforcement Unit at DEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909-7760 or wolfj2@michigan.gov.

If JG& G Holding, Inc and/or Berkshire Development, Inc. believes the above observations or statements are inaccurate or do not constitute violations of the applicable legal requirements cited, please provide factual information to explain your position.

Thank you for your attention to resolving the violations cited above and for the cooperation that was extended to us during our inspection of 4110 Fenkell, Detroit. If you have any questions regarding the violations or the actions necessary to bring this facility into compliance, please contact me at the number listed below.

Sincerely,



Tammy Bell
Senior Environmental Quality Analyst
Air Quality Division
313-330-0105

Enclosures

cc: Mr. Paul Max, City of Detroit BSEED
Ms. Mary Ann Dolehanty, DEQ
Dr. Eduardo Olaguer, DEQ
Mr. Christopher Ethridge, DEQ
Ms. Jenine Camilleri, DEQ
Ms. Karen Kajiya-Mills, DEQ
Mr. Jason Wolf, DEQ
Ms. Wilhemina McLemore, DEQ
Mr. Craig Dechy, DEQ